

**STATE OF WASHINGTON  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE GAMBLING COMMISSION**

**RECEIVED**

**JUN 16 2010**

**GAMBLING COMMISSION  
COMM & LEGAL DIVISION**

In the Matter of the Suspension or  
Revocation of the Licenses to  
Conduct Gambling Activities of:

NEW GROVE  
EVERETT, WASHINGTON

Licensee.

Docket No. 2010-GMB-0017  
GC No. CR 2009-01631

DEFAULT ORDER

Administrative Law Judge John M. Gray conducted a prehearing conference on June 2, 2010, in the matter of the revocation of the gambling licenses of New Grove. New Grove holds license number 65-06975, authorizing Class "F7" amusement game activity, and license number 05-19595, authorizing Class "D" card room activity, both licenses issued by the Washington State Gambling Commission.

The Washington State Gambling Commission (Commission) was represented by H. Bruce Marvin, Assistant Attorney General. Dieu Nguyen, New Grove's owner, failed to appear at the June 2, 2010, prehearing conference.

On December 23, 2009, the Commission mailed to the Licensee a Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding. On January 15, 2010, the Commission received the Licensee's request for an adjudicative proceeding.

On March 23, 2010, this matter was scheduled for a prehearing conference in a Notice mailed to the Licensee at its address. The prehearing conference was scheduled as a telephonic conference for Wednesday, June 2, 2010, at 9:15 AM. The Notice instructed the parties how to call in for the telephonic conference. The notice informed the parties that the conference would include discussion of simplifying the issues for hearing, documentary evidence, stipulations, setting the date and time of the hearing, the mode, and hearing length, and any other issues appropriate for prehearing disposition.

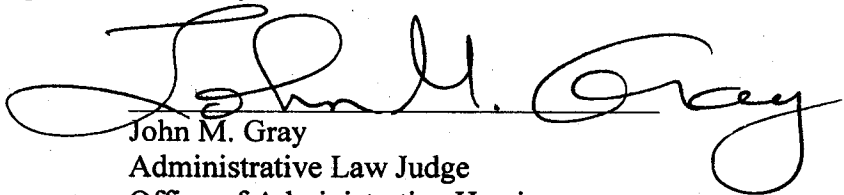
RCW 34.05.440(2) provides that a presiding officer may serve upon all parties a default or other dispositive order if a party fails to attend or participate in a hearing or other stage of an adjudicative proceeding, other than failing to timely request an adjudicative proceeding as set out in subsection (1) of this section. A prehearing conference, is an "other stage[s] of an adjudicative proceeding."

NOW, THEREFORE:

INITIAL ORDER

IT IS ORDERED THAT the Licensee, New Grove, is in DEFAULT. A request that this order be vacated must be filed within seven days of service of this order, stating the grounds relied upon. RCW 34.05.440(3).

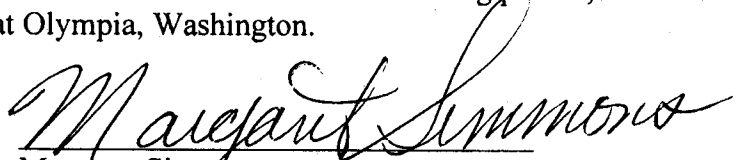
DATED at Olympia, Washington, this 15<sup>th</sup> day of June, 2010.



John M. Gray  
Administrative Law Judge  
Office of Administrative Hearings  
PO Box 9046  
Olympia, WA 98507-9046

**Certificate of Mailing**

I certify that I mailed true and exact copies of the **Default Order** to the following parties, postage prepaid this 15<sup>th</sup> day of June 2010 at Olympia, Washington.



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Legal Secretary

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